

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
LUXWEAR LTD. and SEVEN TRADE
LLC

USDC SDNY
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DATE FILED: 7/8/2022

Plaintiffs,

-against-

ADAPTIVE RESEARCH & DEVELOPMENT
GROUP, LLC (d/b/a ADAPTIVE BIOMED),

Defendant.

ANALISA TORRES, District Judge:

Plaintiffs bring this action against Defendant, Adaptive Research & Development Group, invoking subject-matter jurisdiction by way of diversity of citizenship between the parties. Plaintiffs allege that Defendant is a Tennessee limited liability company. Compl. ¶ 4, ECF No. 1. For purposes of diversity jurisdiction, a limited liability company “has the citizenship of each of its members.” *Strother v. Harte*, 171 F. Supp. 2d 203, 205 (S.D.N.Y. 2001). The complaint must, therefore, allege the citizenship of natural persons who are members of the limited liability company and the place of incorporation and principal place of business of any corporate entities who are members of the limited liability company.

Accordingly, by **July 15, 2022**, Plaintiffs shall amend their pleading to allege the citizenship of each constituent person or entity. See *Handelsman v. Bedford Vill. Assocs. Ltd. P'ship*, 213 F.3d 48, 51–52 (2d Cir. 2000) (citing *Cosgrove v. Bartolotta*, 150 F.3d 729, 731 (7th Cir. 1998)); *Strother*, 171 F. Supp. 2d at 205 . If Plaintiffs fail to amend by the foregoing date to truthfully allege complete diversity based upon the citizenship of each constituent person or entity of the LLC, then the complaint will be dismissed for lack of subject matter jurisdiction.

SO ORDERED.

Dated: July 8, 2022
New York, New York


ANALISA TORRES
United States District Judge